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**Fax Transmission** | August 31, 2005TO: Commissioner for Patents  
ATTN: Examiner Lun S. Lao  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Brett A. Hertzberg

OUR REF: 50019.28US01/P04844  
[BAH/ab]

Total pages, including cover letter: 6

PTO FAX NUMBER 1-571-273-8300

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Documents Transmitted: Fax Coversheet (in duplicate); Response and Provisional ElectionTitle: OUTPUT COUPLING CAPACITOR FREE AUDIO POWER  
AMPLIFIER DYNAMICALLY CONFIGURED FOR SPEAKERS AND  
HEADPHONES WITH EXCELLENT CLICK AND POP PERFORMANCEApplicant: Kazim SevenSerial No.: 09/696,866Filed: October 25, 2000Group Art Unit: 2644Our Ref. No.: 50019.28US01/P04844Confirmation No. 1795

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August 31, 2005By: Name: Brett A. HertzbergReg. No.: 42,660

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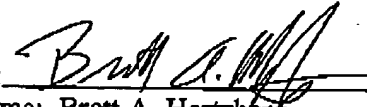
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August 31, 2005

By:   
Name: Brett A. Hertzberg  
Reg. No.: 42,660

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AUG 31 2005

S/N 09/696,866

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kazim Seven	Examiner:	Lun S. Lao
Serial No.:	09/696,866	Group Art Unit:	2644
Filed:	October 25, 2000	Docket:	50019.28US01/P04844
Confirmation No.:	1795	Due Date:	September 22, 2005
Title:	OUTPUT COUPLING CAPACITOR FREE AUDIO POWER AMPLIFIER DYNAMICALLY CONFIGURED FOR SPEAKERS AND HEADPHONES WITH EXCELLENT CLICK AND POP PERFORMANCE		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this correspondence is being sent via facsimile to (571) 273-8300, Commissioner for Patents, Attn: Examiner Lun S. Lao, P.O. Box 1450, Alexandria, VA 22313-1450 on August 31, 2005.

By:   
Name: Alice Baum

RESPONSE AND PROVISIONAL ELECTION

VIA FACSIMILE #571-273-8300  
Commissioner for Patents  
ATTN: Examiner Lun S. Lao  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed August 22, 2005, Applicant respectfully submits this following Response and Provisional Election to the Restriction Requirement made by the Examiner under 35 U.S.C. 121. The restriction requirement was made for the following inventions:

- I. Claims 1-11, drawn to plural amplifier channels (e.g., Parallel amplifier classified in class 330, subclass 124R.

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II. Claims 12-18, drawn to circuitry combined with automatic amplifier disabling switch means, classified in class 330, subclass 111.

III. Claims 19-28, drawn to combined with automatic amplifier disabling switch means, classified in class 330, subclass 51.

The Examiner states that the inventions are distinct, each from the other for the following reasons:

"Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as load type of amplifying/monitoring jack for plug insertion/auto disable amplifier. See MPEP § 806.05(d)."

"Because these inventions are distinct for the reasons given above and have acquired separate status in the art as shown by their different classifications, restriction for examination purposes is proper."

Applicants provisionally elect to prosecute the invention taught by Group I, which corresponds to claims 1-11. Applicants respectfully traverse the restriction requirement with respect to Groups II and III, which corresponds to claims 12-18 and 19-28, respectively for the reasons stated below.

Claims 1-11 are directed to "An apparatus for automatically determining a type of each load ... and configuring ... signals to drive each determined load type". As recited in claim 1, "a control circuit ... automatically determines the type of loads ... and automatically employs the determined load type to select an arrangement ... [to provide] an appropriate level ... to drive their respective loads." Claim 12 similarly recites "[a] method for dynamically configuring an amplifier" by "automatically selecting a first mode when the jack is empty; automatically setting

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a second mode when a plug is inserted in the jack, [such that] when in the first mode, differentially driving a first load ... and when in the second mode, driving a series coupled .. load." In other words, each of the above-described claims describes a way to detect an operating condition of the circuit (e.g., the load configuration) and configure the requisite amplifiers accordingly to drive those detected conditions appropriately. Claim 13 -18 describe similar features to those described above with respect to claim 12.

Claim 19 describes "a first amplifier ... a second amplifier ... wherein the outputs of the first and second amplifiers are adapted for driving a load there between", and "a control circuit that controls the functional operation of the second amplifier ...[effective for] disabling the second amplifier from providing a return path for the load ... [and] when the signal exceeds a predetermined amount ...enables the second amplifier ...". In other words, similar to that described previously with respect to claim 1, claim 19 describes that the configuration of the amplifiers are adjusted based on detected conditions (e.g., steady state operation is ready) in the circuit and configures the amplifiers accordingly. Claims 20 - 24 depend from claim 19. Claims 25 - 28 contain similar features to those described with respect to claim 19.

Claim groups I and II have been designated as part of a common class, namely class 330. While claim groups I and II belong to two different subclasses, it is believed that there no undue burden will be placed on the Examiner in considering such classes. Moreover, for the reasons described above, it is believed that claims 1 - 28 are related close enough for consideration as a whole without any undue burden.

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For at least the reasons described above, it is believed that the subject matter that is identified by groups II and III (claims 12-18 and 19-28) are common with the subject matter that is identified by group I (claims 1-11). Applicant does respectfully submit that there will be no undue burden on the Examiner to also search for the subject matter that is recited in claims 12-18 and 19-28 (Groups II and III).

In view of foregoing comments, the restriction requirement with respect to claims 1 - 28 is traversed and notice to that effect is earnestly solicited. It is believed that all pending claims are allowable and in condition for allowance. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

  
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